

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SCOTT SEDORE,

Plaintiff,

v.

Case No. 2:22-cv-10060

District Judge Gershwin A. Drain

Magistrate Judge Kimberly G. Altman

SIRENNA LANDFAIR, ALINDA
FLORECK, VICTORIA HALLETTS,
and MDOC,

Defendants.

ORDER DIRECTING THE CLERK TO TERMINATE
CORIZON HEALTH INC. AS A PARTY IN THIS CASE
AND
CERTIFICATION OF COMPLETION OF PRETRIAL PROCEEDINGS

I. Introduction

This is a prisoner civil rights case under 42 U.S.C. § 1983, Title II of the Americans with Disabilities Act (ADA), and § 504 of the Rehabilitation Act. Plaintiff Scott Sedore (Sedore) sued defendants Sirena Landfair (Landfair), Brian Stricklin (Stricklin), Alinda Florek (Florek), Victoria Hallet (Hallet), Corizon Health Inc. (Corizon), and the Michigan Department of Corrections (MDOC),¹ claiming that they retaliated against him after he complained about the healthcare

¹ Defendants' names are spelled consistently with other filings.

he received while incarcerated. *See* ECF No. 1. During the relevant period, Landfair, Stricklin, and Florek were employed by the MDOC. Hallet was employed by Corizon, which has since filed for bankruptcy.

This case was referred to the undersigned for all pretrial proceedings. (ECF No. 24). This order DIRECTS the Clerk to terminate Corizon as a defendant and CERTIFIES COMPLETION of all pretrial proceedings.

II. Corizon

On June 23, 2023, Sedore filed a motion to voluntarily dismiss Corizon. (ECF No. 67). On June 27, 2023, the undersigned issued a report and recommendation recommending that the motion be granted. (ECF No. 68). The district court adopted this report and recommendation and dismissed Corizon. (ECF No. 91). Corizon, however, is still listed as a defendant on the docket. The Clerk is DIRECTED to terminate Corizon as a defendant.

III. Certification of Completion of Pretrial Proceedings

The MDOC defendants filed a pre-discovery motion for summary judgment on the basis of exhaustion, (ECF No. 22), which led to dismissal of Stricklin without prejudice for failure to exhaust, (ECF No. 34). Discovery then proceeded between Sedore, Landfair, Florek, and the MDOC, which resulted in motion practice. Following dispositive motion practice, Sedore's First Amendment retaliation claims against Landfair and Florek and his ADA and Rehabilitation Act

claims against the MDOC remain for trial.

As to Hallet, she was served later than the other defendants and proceedings against her were impacted by the Corizon bankruptcy proceedings. The undersigned entered a separate scheduling order between Sedore and Hallet, in which discovery closed on April 8, 2024, and dispositive motions were due by May 8, 2024. (ECF No. 96). Neither Sedore nor Hallet filed any dispositive motions, meaning that Sedore's First Amendment retaliation claim against Hallet is ready for trial.

Accordingly, pursuant to the reference of the Honorable Gershwin A. Drain, the order of reference is now FULLY COMPLETED, and this matter is returned to Judge Drain for further proceedings.

IV. Sedore's Pending Motions

After the expiration of the dispositive motion deadline pertaining to Sedore's retaliation claim against Hallet, Sedore filed a motion requesting the appointment of counsel for trial, (ECF No. 114), and a motion requesting that a final pretrial conference as well as trial be scheduled, (ECF Nos. 115, 116).² These motions are related to trial and are best left to be considered by Judge Drain, who will preside over the trial.

² The filings docketed at entries 115 and 116 are the same.

SO ORDERED.

Dated: May 16, 2024
Detroit, Michigan

s/Kimberly G. Altman
KIMBERLY G. ALTMAN
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on May 16, 2024.

s/Julie Owens
Acting in the absence of
CAROLYN CIESLA
Case Manager